

PROOF

STATE OF IOWA

Senate Journal

MONDAY, MARCH 8, 2004

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JOURNAL OF THE SENATE

FIFTY-SEVENTH CALENDAR DAY
THIRTY-THIRD SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, March 8, 2004

The Senate met in regular session at 1:12 p.m., President Lamberti presiding.

Prayer was offered by the Reverend Tim Parker, pastor of St. Peter's Lutheran Church in Westgate, Iowa. He was the guest of Senator Brunkhorst.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Dexter Chan.

The Journal of Thursday, March 4, 2004, was approved.

HOUSE MESSAGE RECEIVED AND CONSIDERED

The following message was received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on March 4, 2004, **adopted** the following resolution in which the concurrence of the Senate is asked:

[House Concurrent Resolution 112](#), a concurrent resolution urging the United States Congress to appropriate funding for the federal Historic Preservation Fund and the Historic Barn Preservation Act.

Read first time and referred to committee on **Rules and Administration**.

The Senate stood at ease at 1:30 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 2:40 p.m., President Lamberti presiding.

BILLS REFERRED TO COMMITTEE

Senator Iverson asked and received unanimous consent that the following bills be referred from the Regular Calendar to the following committees:

S.F. 2194	Appropriations
S.F. 2212	Judiciary
S.F. 2232	Ways and Means
S.F. 2238	Ways and Means
S.F. 2242	Ways and Means

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Courtney, Fraise, Holveck, and Kreiman, until they return, on request of Senator Gronstal.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration Senate Files 2119, 2166, and 2148.

[Senate File 2119](#)

On motion of Senator Kettering, [Senate File 2119](#), a bill for an act relating to collateral required to be pledged by banks to the treasurer of state in order to secure the deposit of public moneys, was taken up for consideration.

Senator Kettering moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” ([S.F. 2119](#)), the vote was:

Yeas, 45:

Angelo	Gaskill	McCoy	Shull
Beall	Gronstal	McKibben	Sievers
Behn	Hatch	McKinley	Stewart
Black	Horn	Miller	Tinsman
Boettger	Hosch	Putney	Veenstra
Bolkcom	Houser	Quirnbach	Ward
Brunkhorst	Iverson	Ragan	Warnstadt
Connolly	Johnson	Redfern	Wieck
Dearden	Kettering	Rehberg	Zieman
Dotzler	Kibbie	Schuerer	
Drake	Lamberti	Seng	
Dvorsky	Lundby	Seymour	

Nays, none.

Absent, 5:

Courtney	Holveck	Larson
Fraise	Kreiman	

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

[Senate File 2166](#)

On motion of Senator Boettger, [Senate File 2166](#), a bill for an act relating to child endangerment offenses resulting in the death of a child or minor and providing a penalty, was taken up for consideration.

Senator Boettger moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” ([S.F. 2166](#)), the vote was:

Yeas, 46:

Angelo	Gaskill	Lundby	Seymour
Beall	Gronstal	McCoy	Shull
Behn	Hatch	McKibben	Sievers
Black	Horn	McKinley	Stewart
Boettger	Hosch	Miller	Tinsman

Bolkcom	Houser	Putney	Veenstra
Brunkhorst	Iverson	Quirnbach	Ward
Connolly	Johnson	Ragan	Warnstadt
Dearden	Kettering	Redfern	Wieck
Dotzler	Kibbie	Rehberg	Zieman
Drake	Kreiman	Schuerer	
Dvorsky	Lamberti	Seng	

Nays, none.

Absent, 4:

Courtney	Fraise	Holveck	Larson
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

Senate File 2148

On motion of Senator Brunkhorst, [Senate File 2148](#), a bill for an act relating to the motor vehicle operating privileges of a person convicted of motor fuel theft from a retail dealer, was taken up for consideration.

Senator Brunkhorst moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" ([S.F. 2148](#)), the vote was:

Yeas, 46:

Angelo	Gaskill	Lundby	Seymour
Beall	Gronstal	McCoy	Shull
Behn	Hatch	McKibben	Sievers
Black	Horn	McKinley	Stewart
Boettger	Hosch	Miller	Tinsman
Bolkcom	Houser	Putney	Veenstra
Brunkhorst	Iverson	Quirnbach	Ward
Connolly	Johnson	Ragan	Warnstadt
Dearden	Kettering	Redfern	Wieck
Dotzler	Kibbie	Rehberg	Zieman
Drake	Kreiman	Schuerer	
Dvorsky	Lamberti	Seng	

Nays, none.

Absent, 4:

Courtney	Fraise	Holveck	Larson
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that **Senate Files 2119, 2148, and 2166** be **immediately messaged** to the House.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration Senate Files 2230 and 2187.

Senate File 2230

On motion of Senator Kettering, Senate File 2230, a bill for an act relating to immunity from third-party liability for claims resulting from contaminated property, was taken up for consideration.

Senator Stewart offered amendment S-5040, filed by Senators Stewart and Kettering from the floor to pages 1, 2, and to the title page of the bill, and moved its adoption.

Amendment S-5040 was adopted by a voice vote.

Senator Kettering moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2230), the vote was:

Yeas, 46:

Angelo	Gaskill	Lundby	Seymour
Beall	Gronstal	McCoy	Shull
Behn	Hatch	McKibben	Sievers
Black	Horn	McKinley	Stewart
Boettger	Hosch	Miller	Tinsman
Bolkcom	Houser	Putney	Veenstra
Brunkhorst	Iverson	Quirnbach	Ward
Connolly	Johnson	Ragan	Warnstadt
Dearden	Kettering	Redfern	Wieck

Dotzler	Kibbie	Rehberg	Zieman
Drake	Kreiman	Schuerer	
Dvorsky	Lamberti	Seng	

Nays, none.

Absent, 4:

Courtney	Fraise	Holveck	Larson
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title, as amended, was agreed to.

[Senate File 2187](#)

On motion of Senator Wieck, [Senate File 2187](#), a bill for an act relating to municipal utilities that provide local exchange services, including the confidentiality and audits of certain accounting records, the allocation of the cost of use of city resources, and exemption from sales and use taxes, was taken up for consideration.

Senator Wieck offered amendment [S-5038](#), filed by him from the floor to page 2 of the bill, and moved its adoption.

Amendment [S-5038](#) was adopted by a voice vote.

Senator Wieck moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" ([S.F. 2187](#)), the vote was:

Yeas, 46:

Angelo	Gaskill	Lundby	Seymour
Beall	Gronstal	McCoy	Shull
Behn	Hatch	McKibben	Sievers
Black	Horn	McKinley	Stewart
Boettger	Hosch	Miller	Tinsman
Bolkcom	Houser	Putney	Veenstra
Brunkhorst	Iverson	Quirnbach	Ward
Connolly	Johnson	Ragan	Warnstadt
Dearden	Kettering	Redfern	Wieck
Dotzler	Kibbie	Rehberg	Zieman
Drake	Kreiman	Schuerer	
Dvorsky	Lamberti	Seng	

Nays, none.

Absent, 4:

Courtney Fraise Holveck Larson

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that **Senate Files 2187** and **2230** be **immediately messaged** to the House.

CONSIDERATION OF BILL (Regular Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration [Senate File 2225](#).

[Senate File 2225](#)

On motion of Senator McKinley, [Senate File 2225](#), a bill for an act providing for negotiated rulemaking, was taken up for consideration.

Senator Iverson asked and received unanimous consent that action on [Senate File 2225](#) be **deferred**.

BILL REFERRED TO COMMITTEE

Senator Iverson asked and received unanimous consent that [Senate File 2225](#) be referred from the Unfinished Business Calendar to the committee on **State Government**.

CONSIDERATION OF BILL (Regular Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration [Senate File 2189](#).

[Senate File 2189](#)

On motion of Senator Sievers, [Senate File 2189](#), a bill for an act conferring additional enforcement authority on the real estate commission, and providing penalties, was taken up for consideration.

Senator Iverson asked and received unanimous consent that action on [Senate File 2189](#) be **deferred**.

CONSIDERATION OF BILL
(Regular Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration [Senate File 2191](#).

[Senate File 2191](#)

On motion of Senator Redfern, [Senate File 2191](#), a bill for an act relating to agreements to arbitrate and providing remedies, was taken up for consideration.

Senator Redfern moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" ([S.F. 2191](#)), the vote was:

Yeas, 46:

Angelo	Gaskill	Lundby	Seymour
Beall	Gronstal	McCoy	Shull
Behn	Hatch	McKibben	Sievers
Black	Horn	McKinley	Stewart
Boettger	Hosch	Miller	Tinsman
Bolkcom	Houser	Putney	Veenstra
Brunkhorst	Iverson	Quirnbach	Ward
Connolly	Johnson	Ragan	Warnstadt
Dearden	Kettering	Redfern	Wieck
Dotzler	Kibbie	Rehberg	Zieman
Drake	Kreiman	Schuerer	
Dvorsky	Lamberti	Seng	

Nays, none.

Absent, 4:

Courtney

Fraise

Holveck

Larson

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that [Senate File 2191](#) be **immediately messaged** to the House.

CONSIDERATION OF BILL (Regular Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration [Senate File 2265](#).

[Senate File 2265](#)

On motion of Senator Brunkhorst, [Senate File 2265](#), a bill for an act relating to equitable rate regulation of wholesale and retail telephone services, including jurisdiction of the Iowa utilities board, written complaints filed with the utilities board regarding the reasonableness of an act of a public utility, provision of free directory assistance to blind consumers, and related provisions, with report of committee without recommendation, was taken up for consideration.

Senator Brunkhorst asked and received unanimous consent that action on [Senate File 2265](#) be **deferred**.

BILL REFERRED TO COMMITTEE

Senator Iverson asked and received unanimous consent that [Senate File 2265](#) be referred from the Unfinished Business Calendar to the committee on **Commerce**.

CONSIDERATION OF BILL (Regular Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration [Senate File 2235](#).

[Senate File 2235](#)

On motion of Senator Redfern, [Senate File 2235](#), a bill for an act establishing a uniform mediation Act, was taken up for consideration.

Senator Redfern offered amendment [S-5047](#), filed by Senators Redfern and Kreiman from the floor to page 2 of the bill, and moved its adoption.

Amendment [S-5047](#) was adopted by a voice vote.

Senator Redfern moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" ([S.F. 2235](#)), the vote was:

Yeas, 46:

Angelo	Gaskill	Lundby	Seymour
Beall	Gronstal	McCoy	Shull
Behn	Hatch	McKibben	Sievers
Black	Horn	McKinley	Stewart
Boettger	Hosch	Miller	Tinsman
Bolkcom	Houser	Putney	Veenstra
Brunkhorst	Iverson	Quirnbach	Ward
Connolly	Johnson	Ragan	Warnstadt
Dearden	Kettering	Redfern	Wieck
Dotzler	Kibbie	Rehberg	Zieman
Drake	Kreiman	Schuerer	
Dvorsky	Lamberti	Seng	

Nays, none.

Absent, 4:

Courtney	Fraise	Holveck	Larson
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that [Senate File 2235](#) be **immediately messaged** to the House.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on March 8, 2004, **adopted** the following resolution in which the concurrence of the Senate is asked:

[House Joint Resolution 2005](#), a joint resolution authorizing the temporary use and consumption of wine and beer in the State Capitol in conjunction with the 2004 Annual Meeting of the Midwestern Legislative Conference of the Council of State Governments.

Read first time and referred to committee on **Rules and Administration**.

ALSO: That the House has on March 8, 2004, **passed** the following bills in which the concurrence of the Senate is asked:

[House File 2201](#), a bill for an act providing for exemptions from massage therapy licensure requirements.

Read first time and referred to committee on **State Government**.

[House File 2230](#), a bill for an act relating to safe deposit box access by a trustee of a trust created by the deceased owner or lessee of the safe deposit box.

Read first time and **attached to companion** [Senate File 2155](#).

[House File 2319](#), a bill for an act relating to the operation, reporting, and dissolution of committees, reporting requirements for special and other elections, the placement of attribution statements in political materials, and the size and placement of political signs.

Read first time and referred to committee on **State Government**.

[House File 2325](#), a bill for an act relating to raising an ineffective assistance of counsel claim against an attorney in a criminal case on appeal.

Read first time and **attached to companion [Senate File 2145](#)**.

BUSINESS PENDING

[Senate File 2189](#)

The Senate resumed consideration of [Senate File 2189](#), a bill for an act conferring additional enforcement authority on the real estate commission, and providing penalties, previously deferred.

Senator Kreiman offered amendment [S-5048](#), filed by him from the floor to page 2 of the bill, and moved its adoption.

Amendment [S-5048](#) was adopted by a voice vote.

Senator Sievers moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" ([S.F. 2189](#)), the vote was:

Yeas, 46:

Angelo	Gaskill	Lundby	Seymour
Beall	Gronstal	McCoy	Shull
Behn	Hatch	McKibben	Sievers
Black	Horn	McKinley	Stewart
Boettger	Hosch	Miller	Tinsman
Bolkcom	Houser	Putney	Veenstra
Brunkhorst	Iverson	Quirnbach	Ward
Connolly	Johnson	Ragan	Warnstadt
Dearden	Kettering	Redfern	Wieck
Dotzler	Kibbie	Rehberg	Zieman
Drake	Kreiman	Schuerer	
Dvorsky	Lamberti	Seng	

Nays, none.

Absent, 4:

Courtney	Fraise	Holveck	Larson
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that [Senate File 2189](#) be **immediately messaged** to the House.

CONSIDERATION OF BILL
(Regular Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration [Senate File 2032](#).

[Senate File 2032](#)

On motion of Senator Putney, [Senate File 2032](#), a bill for an act relating to bicycles on primary highways and providing a penalty, was taken up for consideration.

Senator Bolckom offered amendment [S-5021](#), filed by him on February 23, 2004, to page 1, and to the title page of the bill.

Senator Bolckom asked and received unanimous consent that action on amendment [S-5021](#) and [Senate File 2032](#) be **deferred**.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Iverson, until he returns, on request of Senator Boettger.

CONSIDERATION OF BILL
(Regular Calendar)

Senator Ziemann asked and received unanimous consent to take up for consideration [Senate File 2202](#).

[Senate File 2202](#)

On motion of Senator Boettger, [Senate File 2202](#), a bill for an act relating to meningococcal disease vaccination information for students who are enrolled in an institution of higher learning that has an on-campus dormitory or residence hall, and providing for related matters, was taken up for consideration.

Senator Quirnbach offered amendment [S-5046](#), filed by him from the floor to page 1 of the bill, and moved its adoption.

Amendment [S-5046](#) lost by a voice vote.

Senator Boettger offered amendment [S-5044](#), filed by Senators Boettger and Kreiman from the floor to page 1 of the bill, and moved its adoption.

Amendment [S-5044](#) was adopted by a voice vote.

Senator Boettger moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" ([S.F. 2202](#)), the vote was:

Yeas, 41:

Angelo	Hatch	McKibben	Sievers
Behn	Horn	McKinley	Stewart
Black	Hosch	Miller	Tinsman
Boettger	Houser	Putney	Veenstra
Bolkcom	Johnson	Ragan	Ward
Brunkhorst	Kettering	Redfern	Warnstadt
Dotzler	Kibbie	Rehberg	Wieck
Drake	Kreiman	Schuerer	Zieman
Dvorsky	Lamberti	Seng	
Gaskill	Lundby	Seymour	
Gronstal	McCoy	Shull	

Nays, 4:

Beall	Connolly	Dearden	Quirnbach
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Absent, 5:

Courtney	Holveck	Larson
Fraise	Iverson	

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Zieman asked and received unanimous consent that [Senate File 2202](#) be **immediately messaged** to the House.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on March 8, 2004, **passed** the following bills in which the concurrence of the Senate is asked:

[House File 2327](#), a bill for an act relating to child abuse assessment requirements involving notification of parents, interviews of persons alleged to have committed child abuse, and training of child protection workers.

Read first time and referred to committee on **Human Resources**.

[House File 2328](#), a bill for an act relating to child protection confidentiality requirements involving the department of human services.

Read first time and referred to committee on **Human Resources**.

[House File 2340](#), a bill for an act relating to the temporary absence of an elected city official on active military duty and the appointment of a temporary replacement and providing an effective date.

Read first time and **attached to similar** [Senate File 2281](#).

[House File 2347](#), a bill for an act relating to the uniform limited partnership Act and providing a penalty and effective dates.

Read first time and **attached to companion** [Senate File 2157](#).

[House File 2350](#), a bill for an act relating to family investment program eligibility requirements involving motor vehicle equity,

family investment plans, limited benefit plans, and required school attendance and including an applicability provision.

Read first time and referred to committee on **Human Resources**.

[House File 2351](#), a bill for an act relating to enforcement of waste tire violations and providing a penalty.

Read first time and referred to committee on **Natural Resources and Environment**.

[House File 2358](#), a bill for an act providing for technical and substantive changes relating to the practice of cosmetology, establishing penalties, and making penalties applicable.

Read first time and referred to committee on **Human Resources**.

[House File 2367](#), a bill for an act relating to various issues under the purview of the department of corrections including the creation of an inmate labor fund.

Read first time and referred to committee on **Ways and Means**.

[House File 2373](#), a bill for an act providing for the inapplicability of provisions regulating licensed real estate brokers and salespersons to auctioneers under specified circumstances, and providing penalties.

Read first time and referred to committee on **Commerce**.

[House File 2378](#), a bill for an act relating to the disposition of medical assistance special needs trusts, including the payment rate for nursing facility levels of care.

Read first time and referred to committee on **Human Resources**.

ADJOURNMENT

On motion of Senator Zieman, the Senate adjourned at 4:02 p.m. until 8:30 a.m., Tuesday, March 9, 2004.

APPENDIX**CERTIFICATES OF RECOGNITION**

The Secretary of the Senate issued the following certificates of recognition:

Jim Allison, St. Edmond High School, Fort Dodge—For receiving the 2004 2A North Central District Wrestling Coach of the Year Award. Senator Beall (3/5/04).

Zach Bates, Rockwell City-Lytton—For being named the 2004 2A 160-Pound State Wrestling Champion and earning 103 career wins. Senator Beall (3/5/04).

Ed Birnbaum, Fort Dodge—For receiving the 2004 3A State Wrestling Coach of the Year Award. Senator Beall (3/5/04).

Chase Holmgaard, Fort Dodge—For being named the 2004 3A 171-Pound State Wrestling Champion and earning 60 straight victories. Senator Beall (3/5/04).

Mr. and Mrs. Jim Jones, Des Moines—For celebrating your 60th wedding anniversary. Senator Holveck (4/1/04).

Katie Lautner, Jefferson-Scranton High School—For being a member of the 2004 Raccoon River Activities Conference Volleyball First Team All-Conference. Senator Beall (3/5/04).

Coach Mark Reiland and the Iowa City West High School Wrestling Team—For winning the Class 3A State Duals Championship. Senator Dvorsky (3/5/04).

GOVERNOR'S VETO LETTER

March 5, 2004

The Honorable Jeffrey Lamberti
President of the Senate
State Capitol Building
L O C A L

Dear President Lamberti:

I hereby transmit [Senate File 2124](#), an Act relating to education funding, providing for the establishment of the state percent of growth for purposes of the state school foundation program, providing for allocations for textbook and supply acquisition, providing for a reduction in area education agency funding, making appropriations, and providing an applicability date.

The bill as drafted falls short of two percent allowable growth in fiscal year 2005 and underfunds the important Area Education Agencies. Students in Iowa schools will be ill served by only setting a two percent allowable growth rate for fiscal year 2006, capping the state aid available that may result in less than two percent growth,

reducing state aid to Area Education Agencies, and mandating expenditures for textbooks and supplies. The children, teachers, and families of Iowa deserve better than this. They deserve adequate resources so their schools can be the best they can be. They deserve education to be our top priority, because if it isn't, their future and our future as a state will suffer. The bill as drafted would lead to teacher layoffs, larger class sizes, and limited learning opportunities for our children.

The bill requires that \$10 million be allocated annually for textbooks and supplies from the amount each district receives for foundation aid. Local authorities should have the power to determine how to allocate limited resources, and school districts need additional resources in all areas, not just textbooks and supplies. This requirement usurps local districts' decision-making authority and priority setting.

Education is also Iowa's strongest asset for future economic growth. Education is what we use to sell and market this state when we encourage companies to locate here. Iowa's workforce is extremely productive because they are so well educated—if we do not act now to fund education adequately, we will erode our economic growth efforts to attract and retain high-skill, high-wage jobs.

I am unable to approve [Senate File 2124](#). This bill changes the process of setting allowable growth by eliminating the requirement that the legislature act in the year preceding the budget year in which allowable growth is required. Moving the date so the rate is set six months before the start of the school year, rather than eighteen months, sends the signal that education is no longer a top priority.

After hearing from thousands of people, it is clear that Iowans want us to support education. Republicans in the legislature must not be listening to the same students, parents, teachers, and administrators I hear from every day. Iowans deserve better—they deserve to be heard.

For the above reasons, I hereby respectfully disapprove [Senate File 2124](#). However, I stand ready to work with legislators to establish an allowable growth number for next year that truly reflects Iowa's commitment to educational excellence and complies with Iowa law.

Sincerely,
THOMAS J. VILSACK
Governor

INTRODUCTION OF RESOLUTIONS

[Senate Resolution 126](#), by Kreiman, McKinley, and Johnson, a resolution honoring Robert K. Beck for his accomplishments in service to the people of Iowa as a civic leader, state legislator, and newspaperman.

Read first time under Rule 28 and referred to committee on **Rules and Administration**.

[Senate Resolution 127](#), by Rehberg, a resolution honoring University of Iowa football player Robert Gallery.

Read first time under Rule 28 and referred to committee on **Rules and Administration**.

INTRODUCTION OF BILLS

[Senate File 2268](#), by committee on Economic Growth, a bill for an act relating to the request for a regulatory analysis.

Read first time under Rule 28 and **placed on calendar**.

[Senate File 2269](#), by committee on State Government, a bill for an act relating to elections and voter registration, including implementing requirements of federal law, adjusting language to reflect current practice, making changes related to absentee voting, providing penalties, and providing an effective date.

Read first time under Rule 28 and **placed on calendar**.

[Senate File 2270](#), by committee on Local Government, a bill for an act relating to county records, including the fees for recorded transactions and the confidentiality of veterans' military records maintained by the county recorder.

Read first time under Rule 28 and **placed on calendar**.

[Senate File 2271](#), by committee on Natural Resources and Environment, a bill for an act to establish an alternate energy incentive program in the utilities division of the department of commerce.

Read first time under Rule 28 and **placed on calendar**.

[Senate File 2272](#), by committee on Judiciary, a bill for an act relating to detaining or the placement of criminal defendants who are mentally incompetent or dangerous.

Read first time under Rule 28 and **placed on calendar**.

[Senate File 2273](#), by committee on Judiciary, a bill for an act relating to disposition of an award of damages in a condemnation proceeding pending appeal of the award to district court.

Read first time under Rule 28 and **placed on calendar**.

[Senate File 2274](#), by committee on Judiciary, a bill for an act relating to the revised Iowa nonprofit corporation Act and providing penalties and effective and applicability dates.

Read first time under Rule 28 and **placed on calendar**.

[Senate File 2275](#), by committee on Judiciary, a bill for an act relating to criminal sentencing practice and procedure.

Read first time under Rule 28 and **placed on calendar**.

[Senate File 2276](#), by committee on Judiciary, a bill for an act relating to inmate labor used on improvement projects at state institutions.

Read first time under Rule 28 and **placed on calendar**.

[Senate File 2277](#), by committee on Natural Resources and Environment, a bill for an act relating to the creation of a rural resource development assistance program and fund.

Read first time under Rule 28 and **placed on calendar**.

[Senate File 2278](#), by committee on Judiciary, a bill for an act creating medical parole for certain persons committed to the custody of the department of corrections.

Read first time under Rule 28 and **placed on calendar**.

[Senate File 2279](#), by committee on State Government, a bill for an act relating to petition requirements for establishing a satellite absentee voting station.

Read first time under Rule 28 and **placed on calendar**.

[Senate File 2280](#), by committee on State Government, a bill for an act relating to the awarding of bonuses to appointed state officers and state employees and providing an effective date.

Read first time under Rule 28 and **placed on calendar**.

[Senate File 2281](#), by committee on Local Government, a bill for an act relating to the temporary absence of an elected local government official on active military duty and the appointment of a temporary replacement and providing an effective date.

Read first time under Rule 28 and **placed on calendar**.

[Senate File 2282](#), by committee on Natural Resources and Environment, a bill for an act requiring a study of the archaeological and paleontological significance of the loess hills and of the feasibility of creating a state native prairie preserve in the loess hills, and providing a contingent effective date.

Read first time under Rule 28 and **placed on calendar**.

[Senate File 2283](#), by committee on State Government, a bill for an act relating to the regulation of pharmacy benefit managers and making appropriations.

Read first time under Rule 28 and **placed on calendar**.

SUBCOMMITTEE ASSIGNMENTS

[Senate Concurrent Resolution 113](#)

RULES AND ADMINISTRATION: Iverson, Chair; Gronstal and Lamberti

[Senate Resolution 126](#)

RULES AND ADMINISTRATION: Iverson, Chair; Gronstal and Lamberti

FINAL COMMITTEE REPORTS OF BILL ACTION

ECONOMIC GROWTH

Bill Title: *[SENATE FILE 2268 \(SSB 3096\)](#), a bill for an act relating to the request for a regulatory analysis.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Rehberg, Shull, Boettger, McKinley, Putney, Seymour, Veenstra, and Ward. Nays, 5: Hatch, Beall, Dotzler, Ragan, and Stewart. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Economic Growth Committee on [Senate File 2268](#), and they were attached to the committee report.

JUDICIARY

Bill Title: *[SENATE FILE 2272 \(SSB 1159\)](#), a bill for an act relating to detaining or the placement of criminal defendants who are mentally incompetent or dangerous.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Redfern, Kettering, Kreiman, Boettger, Brunkhorst, Fraise, Gaskill, Holveck, Horn, McCoy, McKibben, Miller, Quirnbach, Tinsman, and Ward. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Judiciary Committee on [Senate File 2272](#), and they were attached to the committee report.

ALSO:

Bill Title: *[SENATE FILE 2273](#) (formerly [SF 226](#)), a bill for an act relating to disposition of an award of damages in a condemnation proceeding pending appeal of the award to district court.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Redfern, Kettering, Kreiman, Boettger, Brunkhorst, Fraise, Gaskill, Holveck, Horn, McCoy, McKibben, Miller, Quirnbach, Tinsman, and Ward. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Judiciary Committee on [Senate File 2273](#), and they were attached to the committee report.

ALSO:

Bill Title: *[SENATE FILE 2274 \(SSB 3144\)](#), a bill for an act relating to the revised Iowa nonprofit corporation Act and providing penalties and effective and applicability dates.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Redfern, Kettering, Kreiman, Boettger, Brunkhorst, Fraise, Gaskill, Holveck, Horn, McCoy, McKibben, Miller, Quirnbach, Tinsman, and Ward. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Judiciary Committee on [Senate File 2274](#), and they were attached to the committee report.

ALSO:

Bill Title: *[SENATE FILE 2275 \(SSB 3154\)](#), a bill for an act relating to criminal sentencing practice and procedure.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Redfern, Kettering, Kreiman, Boettger, Brunkhorst, Fraise, Gaskill, Holveck, Horn, McCoy, McKibben, Miller, Quirnbach, Tinsman, and Ward. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Judiciary Committee on [Senate File 2275](#), and they were attached to the committee report.

ALSO:

Bill Title: [SENATE FILE 2276 \(SSB 3118\)](#), a bill for an act relating to inmate labor used on improvement projects at state institutions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Redfern, Kettering, Boettger, Brunkhorst, Gaskill, Miller, Tinsman, and Ward. Nays, 6: Kreiman, Fraise, Holveck, Horn, McCoy, and Quirnbach. Absent, 1: McKibben.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: *[SENATE FILE 2278 \(SSB 3153\)](#), a bill for an act creating medical parole for certain persons committed to the custody of the department of corrections.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Redfern, Kettering, Kreiman, Boettger, Brunkhorst, Fraise, Gaskill, Holveck, Horn, McCoy, McKibben, Miller, Quirnbach, Tinsman, and Ward. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Judiciary Committee on [Senate File 2278](#), and they were attached to the committee report.

LOCAL GOVERNMENT

Bill Title: [SENATE FILE 2115](#), a bill for an act relating to local government authority to encourage development and rehabilitation of certain real property and including effective date and applicability date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Gaskill, Miller, Quirnbach, Angelo, Hatch, Hosch, Houser, Kettering, Seymour, and Stewart. Nays, 1: Kreiman. Absent, 2: McCoy and Rehberg.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [SENATE FILE 2270 \(SSB 3089\)](#), a bill for an act relating to county records, including the fees for recorded transactions and the confidentiality of veterans' military records maintained by the county recorder.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Gaskill, Miller, Quirnbach, Angelo, Hatch, Hosch, Houser, Kettering, Kreiman, Seymour, and Stewart. Nays, none. Absent, 2: McCoy and Rehberg.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: *[SENATE FILE 2281 \(SSB 3043\)](#), a bill for an act relating to the temporary absence of an elected local government official on active military duty and the appointment of a temporary replacement and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Gaskill, Miller, Quirnbach, Angelo, Hosch, Houser, Kettering, Kreiman, Rehberg, Seymour, and Stewart. Nays, none. Absent, 2: Hatch and McCoy.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Local Government Committee on [Senate File 2281](#), and they were attached to the committee report.

NATURAL RESOURCES AND ENVIRONMENT

Bill Title: [SENATE FILE 2271 \(SSB 3141\)](#), a bill for an act to establish an alternate energy incentive program in the utilities division of the department of commerce.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Houser, Johnson, Seng, Bolkcom, Brunkhorst, Dearden, Drake, Holveck, Kettering, Kibbie, Miller, and Zieman. Nays, none. Absent, 3: Black, Lundby, and Redfern.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [SENATE FILE 2277 \(SSB 3136\)](#), a bill for an act relating to the creation of a rural resource development assistance program and fund.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Houser, Johnson, Seng, Bolkcom, Brunkhorst, Dearden, Drake, Holveck, Kettering, Kibbie, Lundby, Miller, and Zieman. Nays, none. Absent, 2: Black and Redfern.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: *[SENATE FILE 2282](#) (formerly [SF 2104](#)), a bill for an act requiring a study of the archaeological and paleontological significance of the loess hills and of the feasibility of creating a state native prairie preserve in the loess hills, and providing a contingent effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Houser, Johnson, Seng, Bolkcom, Brunkhorst, Dearden, Drake, Holveck, Kettering, Kibbie, and Miller. Nays, none. Absent, 4: Black, Lundby, Redfern, and Zieman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Natural Resources and Environment Committee on [Senate File 2282](#), and they were attached to the committee report.

STATE GOVERNMENT

Bill Title: [SENATE FILE 2269 \(SSB 3161\)](#), a bill for an act relating to elections and voter registration, including implementing requirements of federal law, adjusting language to reflect current practice, making changes related to absentee voting, providing penalties, and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Zieman, Sievers, Drake, Johnson, Schuerer, Shull, Tinsman, Veenstra, and Ward. Nays, 5: Kibbie, Connolly, Courtney, Dearden, and Ragan. Absent, 1: Black.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: *[SENATE FILE 2279 \(SSB 3160\)](#), a bill for an act relating to petition requirements for establishing a satellite absentee voting station.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Zieman, Sievers, Drake, Johnson, Schuerer, Shull, Tinsman, Veenstra, and Ward. Nays, 5: Kibbie, Connolly, Courtney, Dearden, and Ragan. Absent, 1: Black.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the State Government Committee on [Senate File 2279](#), and they were attached to the committee report.

ALSO:

Bill Title: *[SENATE FILE 2280 \(SSB 3125\)](#), a bill for an act relating to the awarding of bonuses to appointed state officers and state employees and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Zieman, Sievers, Kibbie, Courtney, Drake, Johnson, Ragan, Schuerer, Shull, Tinsman, Veenstra, and Ward. Nays, 2: Connolly and Dearden. Absent, 1: Black.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the State Government Committee on [Senate File 2280](#), and they were attached to the committee report.

ALSO:

Bill Title: [SENATE FILE 2283 \(SSB 3039\)](#), a bill for an act relating to the regulation of pharmacy benefit managers and making appropriations.

Recommendation: WITHOUT RECOMMENDATION.

Final Vote: Ayes, 14: Zieman, Sievers, Kibbie, Connolly, Courtney, Dearden, Drake, Johnson, Ragan, Schuerer, Shull, Tinsman, Veenstra, and Ward. Nays, none. Absent, 1: Black.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

<u>S-5037</u>	<u>S.F. 2176</u>	Mike Connolly
<u>S-5038</u>	<u>S.F. 2187</u>	Ron Wieck
<u>S-5039</u>	<u>S.F. 2244</u>	Ron Wieck
<u>S-5040</u>	<u>S.F. 2230</u>	Roger Stewart Steve Kettering
<u>S-5041</u>	<u>S.F. 2143</u>	Dick L. Dearden
<u>S-5042</u>	<u>S.F. 2188</u>	Doug Shull
<u>S-5043</u>	<u>S.F. 2274</u>	Keith A. Kreiman
<u>S-5044</u>	<u>S.F. 2202</u>	Nancy J. Boettger Keith A. Kreiman
<u>S-5045</u>	<u>S.F. 2240</u>	John Putney
<u>S-5046</u>	<u>S.F. 2202</u>	Herman C. Quirnbach
<u>S-5047</u>	<u>S.F. 2235</u>	Donald B. Redfern Keith A. Kreiman
<u>S-5048</u>	<u>S.F. 2189</u>	Keith A. Kreiman
<u>S-5049</u>	<u>S.F. 2032</u>	William A. Dotzler, Jr.
<u>S-5050</u>	<u>S.F. 2253</u>	Steve Warnstadt Mark Zieman